

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

State of Texas,

Plaintiff,

v.

No. 2:24-cv-00086-Z

The United States of America et al.,
Defendants.

Declaration of Rick Olshak

1. My name is Richard T. Olshak. I am over the age of 18 and fully competent in all respects to make this declaration.

2. I have personal knowledge of the facts stated in this declaration, and all of these facts are true and correct.

3. I am currently employed by The Texas University A&M System (Texas A&M System) as Director of Title IX and Student Conduct and Compliance.

4. As Director of Title IX, I am responsible for implementing Title IX for the 11 universities and 8 state agencies that comprise the Texas A&M System.

5. I have reviewed the Title IX regulations issued by the Department of Education on April 29, 2024, *Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance*. 89 Fed. Reg. 33, 474 (Apr. 29, 2024), and it is my opinion that the implementation of these regulations will increase the workload of the Texas A&M System Title IX Office and the Title IX Offices of the component universities and agencies of the Texas A&M System. Below is a list of administrative burdens brought by the new federal regulations as they apply to the universities and agencies that operate under the umbrella of the Texas A&M System.

a. The anticipation of a much heavier caseload by lowering the threshold on what

constitutes sex-based harassment;

- b. Expanded jurisdiction to off-campus behaviors for Title IX cases;
- c. Expanded responsibilities for mitigating the effects of sex-based discrimination and harassment directed at third parties on our property/at our events;
- d. The requirement for employees to refer every student they identify as pregnant to the Title IX Coordinator;
- e. Requiring annual training for employees;
- f. Expanded jurisdiction to include behaviors taking place outside of the United States; and
- g. The requirement to maintain two different complaint resolution processes in perpetuity for incidents that take place before August 1, 2024, and those on or after that date.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 10th day of May, 2024.

A handwritten signature in black ink, appearing to read "Richard T. Olshak", written over a horizontal line.

Richard T. Olshak
Director, Title IX Compliance